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Ms. Linda Burgert
The Dow Chemical Company
1803 Building
Midland, Michigan 48674

Dear Ms. Burgert:

Thank you for your letter of April 1, 2005, to Jim Willis and Diane Sheridan at the U.S. Environmental Protection Agency (EPA) regarding EPA's High Production Volume (HPV) Challenge Program.

Your letter states that Dow's provision of publicly available hazard information for 4-amino-3,5,6-trichloropicolinic acid (CAS No. 1918-02-1)) through reporting under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA) and the fact that this chemical is used exclusively as an intermediate to another pesticide is sufficient to exempt this substance from the HPV Challenge Program. Further, Dow requests that this chemical substance be removed from the EPA HPV Orphans List and from Appendix A of the Interagency Testing Committee's (ITC) 55th Report.

As outlined in your correspondence, Dow stated its commitment to provide publicly available hazard information for the HPV Challenge Program in a November 11, 2004, letter to EPA. A "viable commitment" under the Program includes, in addition to a commitment letter, the submission of robust summaries of existing studies, full citations of published studies, full copies of unpublished studies when requested by EPA, and a test plan for filling data gaps. Although the Reregistration Eligibility Decision (RED) data that you mention for 4-amino-3,5,6-trichloropicolinic acid may be both applicable to the Program and publicly available through FIFRA pesticide reporting, a commitment to sponsor a chemical under the HPV Challenge Program specifically involves the development of robust summaries of pertinent hazard data. EPA has developed a guidance document to assist sponsors in preparing robust summaries for the HPV Challenge Program entitled "Draft Guidance on Developing Robust Summaries," which is available on the Program's website (www.epa.gov/chemrtk/robsumgd.htm). Submissions of robust summaries in adherence to the Program's procedures along with the submission of other outlined components (i.e., full citations of published studies, any requested copies of unpublished studies, and a test plan) will allow EPA to consider a sponsor's commitment to the Program complete.

Dow also states that 4-amino-3,5,6-trichloropicolinic acid is used exclusively as an intermediate to another pesticide. The HPV Challenge Program does allow for a reduced set of testing for chemicals that qualify as closed system intermediates. Should it be Dow's interest

that the chemical receive consideration as a closed system intermediate, please refer to the guidance for testing closed system intermediates available on the Program's website (<http://www.epa.gov/chemrtk/closed9.htm>) to determine if this substance meets the requirements.

Pertaining to Dow's request that 4-amino-3,5,6-trichloropicolinic acid be removed from the HPV Orphans List and the 55th ITC Report, please be advised that this chemical is not currently on the Orphans List and has been removed from the 56th ITC Report. This chemical does not presently appear on either listing since Dow has indicated a commitment to provide robust summaries of existing data and a test plan showing how it plans to fill any data gaps for 4-amino-3,5,6-trichloropicolinic acid for the HPV Challenge Program.

We will post your letter, accompanied by our reply, on the ChemRTK website as soon as possible. Should you have any questions pertaining to this response, please contact Diane Sheridan at (202) 564-8176. If you have general questions concerning the HPV Challenge Program, please submit them through the ChemRTK website comment button or through the TSCA Assistance Information Service (TSCA Hotline) at (202) 554-1404. The TSCA Hotline can also be reached via email at tsca-hotline@epa.gov.

Sincerely,

Jim Willis, ^(D)Director
Chemical Control Division

cc: AR-201